

AO 440 (Rev. 10/93) Summons in a Civil Action

United States District Court

CENTRAL

DISTRICT OF

MASSACHUSETTS

2004 JUN 14 P 1:20

DONALD P. SPEAKMAN, STEPHEN H. WEDEL
and MARK L. ROBARE, Individually and On
Behalf of All Others Similarly Situated,

U.S. DISTRICT COURT
SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

ALLMERICA FINANCIAL LIFE INS. & ANNUITY CO.,
FIRST AMERICA FINANCIAL LIFE INS. CO., ALLMERICA
FINANCIAL CORP., JOHN F. O'BRIEN, EDWARD J.
PARRY, III, RICHARD M. REILLY and JAMES E.
BELLNER

04-40077

TO: (Name and address of defendant)

JAMES E. BELLNER
21 Garden Street
Auburn, MA 01501-2207

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Nancy Freeman Gans
MOULTON & GANS, P.C.
33 Broad St., Suite 1100
Boston, MA 02109-4216
(617) 369-7979

Stephen L. Hubbard
Robert W. Biederman
David M. Grossman
HUBBARD & BIEDERMAN, L.L.P.
1717 Main St., Suite 4700
Dallas, TX 75201
(214) 857-6000

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

5-18-04
DATE

Amanda Dabrowski
(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action (Reverse)

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹	DATE MAY 25, 2004
NAME OF SERVER (PRINT) BARBARA STACY SMITH	TITLE CONSTABLE
Check one box below to indicate appropriate method of service	

☐ Served personally upon the defendant. Place where served: _____

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☒ Other (specify): BY LEAVING AT THE LAST AND USUAL PLACE OF ABODE OF THE WITHIN
NAMED DEFENDANT JAMES E. BELLNER. SAID SERVICE WAS MADE AT 21 GARDEN
STREET, AUBURN, MASS.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
\$20.00	\$65.00	\$85.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on MAY 25, 2004
Date

Barbara Stacy Smith
Signature of Server

707 E. 6th ST., SOUTH BOSTON, MASS.
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.